

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JASON KIBBEE,

Plaintiff

V.

SMITH-PALLUCK ASSOCIATES CORP.,

Defendant

Case No.: 2:18-cv-01848-APG-GWF

## Order Notifying Attorney General of Constitutional Question

A motion in this case involves a constitutional challenge to a federal statute, specifically the Telephone Consumer Protection Act. Pursuant to 28 U.S.C. § 2403(a) and Federal Rule of Civil Procedure 5.1(b), I hereby certify to the Attorney General of the United States that the constitutionality of the Telephone Consumer Protection Act has been called into question in this case. Pursuant to Rule 5.1(c), the Attorney General has 60 days from the date of this Order to intervene in this action, if it chooses to do so.

**IT IS THEREFORE ORDERED** that the Clerk of Court shall mail a copy of this Order to the Attorney General, via certified mail, return receipt requested, at each of the following addresses:

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC, 20530

United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L St. NW  
Washington, DC, 20530

DATED this 17th day of January, 2019.

ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE